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10 UNITED STATES DISTRICT COURT  
11 DISTRICT OF NEVADA

12 Deon Marquiest Kiles,

13 Petitioner,

14 v.

15 William Hutchings, *et al.*,

16 Respondents.  
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Case No. 2:21-cv-01437-ART-NJK

**Order granting motion to extend  
the time for filing a reply in  
support of Kiles's § 2254 petition  
(ECF No. 25).**

POINTS AND AUTHORITIES

Petitioner Deon Marquiest Kiles respectfully asks this Court to enter an Order extending his deadline for filing a reply in support of his *pro se* § 2254 petition by 90 days until February 14, 2023.

Counsel for the warden, Deputy Attorney General Trisha Campbell, does not object to this request.

This is Kiles's first request to extend this deadline.

This Court appointed counsel on July 26, 2022, after the warden filed his answer.<sup>1</sup> Undersigned counsel made her appearance on August 16, 2022,<sup>2</sup> and days later this Court entered a scheduling order giving Kiles 90 days to file his reply.<sup>3</sup> Based on this Order, Kiles's reply is due November 16, 2022.

Since this Court's appointment, counsel has gathered Kiles's prior records, and begun reviewing his case.

Counsel has a visit scheduled with Kiles on November 29, 2022. This was the first available appointment counsel could make given the Nevada Department of Corrections's limitations on visits—counsel can only visit Kiles on Tuesdays.

This request also takes counsel's schedule into consideration. The first half of September was dedicated to training and onboarding three new attorneys. Counsel spent the week of September 19 in Nashville for training and to visit a client in Terre Haute. Counsel was in Chicago from October 18–21 on a pre-planned family trip, and then in Montana from October 23–24 for work. Counsel returned again to Terre Haute last week, and leaves tomorrow for San Francisco for an oral argument

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<sup>1</sup> See ECF Nos. 22, 9.

<sup>2</sup> ECF No. 23.

<sup>3</sup> ECF No. 23.

1 before the Ninth Circuit Court of Appeals. Counsel will be back in Terre Haute next  
2 week and then out of office for the Thanksgiving holiday.

3 Counsel is heavily involved in a capital § 2255 case that involves managing  
4 several investigators, paralegals, attorneys, and experts. The case requires almost  
5 monthly travel to Terre Haute, Indiana.

6 Counsel is also heavily involved in a first-degree murder case set for trial on  
7 January 23, 2023 in this Court (J. Hicks, presiding), with several expert witnesses  
8 interpreting complex scientific evidence. Pre-trial motions and expert disclosures  
9 were filed last week in the case.

10 This request is not made for the purposes of delay. Rather, the requested  
11 extension is necessary so that counsel can meet with Kiles and draft his reply. It  
12 takes into consideration the upcoming jury trial, as well as counsel's other case and  
13 management obligations.

1 For the reasons stated above, Kiles respectfully asks this Court to grant the  
2 requested extension until February 14, 2023.

3 Dated November 16, 2022.

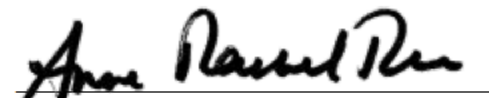
4 Respectfully submitted,

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6 Rene L. Valladares  
7 Federal Public Defender

8 /s/ Amelia L. Bizzaro

9 Amelia L. Bizzaro  
10 Assistant Federal Public Defender

11 IT IS SO ORDERED:

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13   
14 United States District Judge

15 Dated: February 3rd, 2023  
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